

an hour. In this example the regular or basic hourly rate would continue to be \$3 an hour. See S. Rep. No. 963, p. 7.

**PART 6—RULES OF PRACTICE FOR ADMINISTRATIVE PROCEEDINGS ENFORCING LABOR STANDARDS IN FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION CONTRACTS AND FEDERAL SERVICE CONTRACTS**

**Subpart A—General**

Sec.

- 6.1 Applicability of rules.
- 6.2 Definitions.
- 6.3 Service; copies of documents and pleadings.
- 6.4 Subpoenas (Service Contract Act).
- 6.5 Production of documents and witnesses.
- 6.6 Administrative Law Judge.
- 6.7 Appearances.
- 6.8 Transmission of record.

**Subpart B—Enforcement Proceedings Under the Service Contract Act (and Under the Contract Work Hours and Safety Standards Act for Contracts Subject to the Service Contract Act)**

- 6.15 Complaints.
- 6.16 Answers.
- 6.17 Amendments to pleadings.
- 6.18 Consent findings and order.
- 6.19 Decision of the Administrative Law Judge.
- 6.20 Petition for review.
- 6.21 Ineligible list.

**Subpart C—Enforcement Proceedings Under the Davis-Bacon Act and Related Prevailing Wage Statutes, the Copeland Act, and the Contract Work Hours and Safety Standards Act (Except Under Contracts Subject to the Service Contract Act)**

- 6.30 Referral to Chief Administrative Law Judge.
- 6.31 Amendments to pleadings.
- 6.32 Consent findings and order.
- 6.33 Decision of the Administrative Law Judge.
- 6.34 Petition for review.
- 6.35 Ineligible lists.

**Subpart D—Substantial Interest Proceedings**

- 6.40 Scope.
- 6.41 Referral to Chief Administrative Law Judge.
- 6.42 Amendments to pleadings.

- 6.43 Consent findings and order.
- 6.44 Decision of the Administrative Law Judge.
- 6.45 Petition for review.
- 6.46 Ineligible list.

**Subpart E—Substantial Variance and Arm's-Length Proceedings**

- 6.50 Scope.
- 6.51 Referral to Chief Administrative Law Judge.
- 6.52 Appointment of Administrative Law Judge and notification of prehearing conference and hearing date.
- 6.53 Prehearing conference.
- 6.54 Hearing.
- 6.55 Closing of record.
- 6.56 Decision of the Administrative Law Judge.
- 6.57 Petition for review.

AUTHORITY: Secs. 4 and 5, 79 Stat. 1034, 1035 as amended by 86 Stat. 789, 790, 41 U.S.C. 353 and 354; 5 U.S.C. 301; Reorg. Plan No. 14 of 1950, 64 Stat. 1267, 5 U.S.C. Appendix; 46 Stat. 1494, as amended by 49 Stat. 1011, 78 Stat. 238, 40 U.S.C. 276a-276a-7; 76 Stat. 357-359, 40 U.S.C. 327-332; 48 Stat. 948, as amended by 63 Stat. 108, 72 Stat. 967, 40 U.S.C. 276c.

SOURCE: 49 FR 10627, Mar. 21, 1984, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 6 appear at 61 FR 19984, May 3, 1996.

**Subpart A—General**

**§ 6.1 Applicability of rules.**

This part provides the rules of practice for administrative proceedings under the Service Contract Act, the Davis-Bacon Act and related statutes listed in § 5.1 of part 5 of this title which require payment of wages determined in accordance with the Davis-Bacon Act, the Contract Work Hours and Safety Standards Act, and the Copeland Act. See parts 4 and 5 of this title.

**§ 6.2 Definitions.**

(a) *Administrator* means the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, or authorized representative.

(b) *Associate Solicitor* means the Associate Solicitor for Fair Labor Standards, Office of the Solicitor, U.S. Department of Labor, Washington, DC 20210.